

REMARKS

Claims 1 to 14 are now pending. Claims 1, 8 and 11 are currently amended. Claims 13 and 14 have been added. Support for the new claims can be found in Claim 8 as filed and in paragraph 11 of the application as published. Reconsideration of the application is requested.

Objections to Drawings and Specification

Applicant submits that the new specification that replaces the application as filed, as well as the new drawings, correct the defects listed by the Examiner.

§ 112 Rejections

Claims 1-12 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 1, 8 and 11 have been amended to clarify the subject matter.

In summary, Applicant submits that the rejection of claims 1-12 under 35 USC § 112, second paragraph, has been overcome, and that the rejection should be withdrawn.

§ 102 Rejections

Claims 1-12 are rejected under 35 USC § 102(b) as being anticipated by U.S. Patent Number 6,197,397 to Sher et al. (“Sher”).

The Examiner states that Sher teaches that the relief structure is provided, at least in part, by an imprint on the substrate, and points to Col. 15, line 18 of Sher. The Sher reference fails to teach an imprinted relief structure as presently claimed. The cited Column in Sher teaches embossing a polyethylene sheet between a silicone rubber roll and an engraved metal roll, which then structures the polyethylene. In the present case, the claims are directed to a structure which is an imprint on the substrate. Claim 1 has been amended to further clarify that the imprint is a printing material. Support can be found in the specification as filed, for example paragraph 11 of the application as published.

Claims 2-14 depend, directly or indirectly, from Claim 1. The rejection of claims 1-12 under 35 USC § 102(b) as being anticipated by Sher has been overcome and should be withdrawn.

§ 103 Rejections

Claims 7 and 9 are rejected under 35 USC § 103(a) as being unpatentable over Sher. As stated above, Sher fails to teach an imprinted relief structure as presently claimed. The rejections of Claims 7 and 9 has also been overcome and clarified by the present amendment.

Double Patenting

The Examiner states that the present claims are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over copending application number 10/588/134 in view of Sher. Applicant submits that the present claims are not obvious over the co-pending application in view of Sher and none of the claims recite an imprinted relief structure as presently claimed and Sher does not disclose this as discussed herein.

In view of the above, it is submitted that the application is in condition for allowance.

Examination and reconsideration of the application as amended is requested.

Respectfully submitted,

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